

Statement on Preexisting Conditions

April 21, 2009

Health reform must embrace more than health insurance coverage expansion. Meaningful insurance coverage must ensure affordable access to care and address the medical needs of individuals. The undersigned organizations strongly support the principle that affordable health insurance ought to be available to all regardless of health status and without any exclusions or waiting periods based on preexisting conditions. Preexisting condition exclusions and limitation periods should be eliminated for all individuals in all health insurance markets, thus providing a vital safeguard to ensuring that all Americans have access to health care when in need.

Currently, our laws allow significant gaps in coverage. These gaps are particularly devastating for Americans struggling to treat or maintain a preexisting condition, which can include anything from seasonal allergies to cancer to heart disease. We support the principle that affordable health care ought to be available to all Americans regardless of their health status and without any exclusions or waiting periods based on preexisting conditions.

Under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), individuals who experience a 63-day gap in health insurance coverage are subject to a limitation called the preexisting condition exclusion. This means that for up to 12 months, an insurer can deny coverage for any identifiable preexisting condition. While a handful of states have protections to limit the extent of this exclusion, forty-four states currently allow companies to deny coverage for, limit coverage for, or charge increased premiums for a preexisting condition. According to the Centers for Disease Control & Prevention, approximately 133 million Americans, or 45% of the population, have at least one chronic disease, placing them at potential risk of a preexisting conditions exclusion. Those with chronic, debilitating diseases, even if preventable, should never be denied insurance coverage due to preexisting conditions when they need it most.

Over 26 million people were enrolled in private individual market health plans in 2007. Under HIPAA, these individuals have no protections against preexisting condition exclusions/waiting periods. All of these individuals are at risk of facing health insurance discrimination due to their health status.

Our organizations strongly support the elimination of preexisting condition exclusions and limitation periods for all individuals in all health insurance markets, thus providing a vital safeguard to ensuring that all Americans have access to health care when in need.

Adult Congenital Heart Association
American Autoimmune Related Diseases Association
American Heart Association
American Lung Association
Campaign for Mental Health Reform
Colorectal Cancer Coalition
First Focus
Friends of Cancer Research

Lance Armstrong Foundation
Lupus Foundation of America
Men's Health Network
National Multiple Sclerosis Society
National Patient Advocate Foundation
National Psoriasis Foundation
Ovarian Cancer National Alliance
Susan G. Komen for the Cure Advocacy Alliance
The Leukemia & Lymphoma Society